

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA

DUBLIN DIVISION

FEDERAL COURT
U.S. DISTRICT COURT
AUGUSTA, GA.

2022 Aug -8 P 2:17

J Burton

MICHAEL DESHAUN WILLIAMS,)
Plaintiff,)
v.) CV 322-072
FAIRVIEW PARK HOSPITAL INC.;)
HCA HEALTHCARE INC.; and)
DR. SARAH HAZIM AL MANSI,)
Defendants.)

O R D E R

After a careful, *de novo* review of the file, the Court concurs with the Magistrate Judge's Report and Recommendation, to which objections have been filed. (Doc. no. 10.) The Magistrate Judge recommended dismissing the case because Plaintiff had not satisfied the requirements for invoking the Court's subject matter jurisdiction. (Doc. no. 8.) Neither Plaintiff's objections, nor the amended complaint, (doc. no. 11), show there is complete diversity of the parties or that Plaintiff has plausibly alleged the amount in controversy exceeds \$75,000.

Nor does the mere listing of federal statutes or federal regulations without supporting factual detail establish federal jurisdiction. (Doc. no. 10, pp. 2-3; doc. no. 11, pp. 5-6.) As the Magistrate Judge previously explained, the complaint is insufficient if it "offers 'labels and conclusions' or 'a formulaic recitation of the elements of a cause of action,'" or if it "tenders

‘naked assertions’ devoid of ‘further factual enhancement.’” Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009) (quoting Bell Atl. Corp. v. Twombly, 550 U.S. 544, 555, 557 (2007)). Plaintiff’s recitation of various federal statutory and/or regulatory sections in his objections and amended complaint do not convert his state medical malpractice claim into a federal claim(s), and therefore he fails to validly invoke the Court’s jurisdiction.

Accordingly, the Court **OVERRULES** Plaintiff’s objections and **ADOPTS** the Report and Recommendation of the Magistrate Judge, which contains jurisdictional analysis equally applicable to the amended complaint, as its opinion. Moreover, as described above, the amended complaint does not validly invoke the Court’s jurisdiction and does not save the case from dismissal. Therefore, the Court **DISMISSES** this case, and **CLOSES** this civil action.

SO ORDERED this 8th day of August, 2022, at Augusta, Georgia.



Dudley H. Bowen Jr.
UNITED STATES DISTRICT JUDGE